

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

TIANDONG TANG, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff,

v.

EASTMAN KODAK COMPANY, JAMES V.
CONTINENZA and DAVID BULLWINKLE,

Defendants.

Honorable Elizabeth A. Wolford
Civ. A. No. 6:21-cv-06418-EAW

JIMMIE A. MCADAMS AND JUDY P.
MCADAMS, Individually and on Behalf of All
Others Similarly Situated,

Plaintiffs,

v.

EASTMAN KODAK COMPANY and JAMES V.
CONTINENZA,

Defendants.

Honorable Elizabeth A. Wolford
Civ A. No: 6:21-cv-06449-EAW

**STIPULATION AND [PROPOSED] ORDER
CONSOLIDATING RELATED ACTIONS**

WHEREAS the above-captioned actions concern similar parties, arise out of the same or similar courses of alleged misconduct during substantially similar class periods, and involve substantially similar alleged issues of fact and law.

WHEREAS *Tang v. Eastman Kodak Company, et. al.* was filed on August 13, 2020 in the United States District Court for the District of New Jersey and transferred to this Court on May 27, 2021 (the “*Tang Action*”) pursuant to an Opinion and an Order of Chief Judge Freda L. Wolfson of the United States District Court of the District of New Jersey. *Tang Action*, ECF Nos. 61, 62.

WHEREAS *McAdams v. Eastman Kodak Company, et. al.* was filed on August 26, 2020 in the United States District Court for the Southern District of New York and transferred to this Court on June 11, 2021 (the “*McAdams Action*”) pursuant to an Order of Judge John G. Koeltl. *McAdams Action* ECF No 94.

Accordingly, IT IS HEREBY STIPULATED AND AGREED by the parties and the remaining lead plaintiff movants in the *Tang Action* and the *McAdams Action*, by their respective undersigned counsel as follows:

1. Pursuant to Federal Rule of Civil Procedure 42 and 15 U.S.C. § 78u-4(a)(3)(B)(ii) of the Exchange Act, as amended by the Private Securities Litigation Reform Act of 1995 (“PSLRA”), the above-captioned actions shall be consolidated for all purposes into one action.
2. The consolidated action shall be referred to as “*In re Eastman Kodak Company Securities Litigation*” and assigned the case number of the above captioned *Tang Action*, and all filings need only be made in the consolidated action. After consolidation, the Clerk of the Court is directed to administratively terminate Case

No. 6:21-cv-06449 for purposes of judicial efficiency. This Stipulation and Order shall apply to the consolidated action and to each case that is subsequently filed in this Court or transferred to this Court that relates to the same subject matter as the consolidated action.

3. When a case that arises out of the subject matter of this action is hereafter filed in this Court or transferred to this Court from another court, the Clerk of this Court shall:
 - a. File a copy of this Order in the separate file for such action;
 - b. Mail a copy of this Order to the attorneys for the plaintiff(s) in the newly filed or transferred case and to any new defendant(s) in the newly filed or transferred case; and
 - c. Make the appropriate entry in the docket for this action.
4. Each new case that arises out of the subject matter of the consolidated action that is filed in this Court or transferred to this Court shall be consolidated with this action and this Order shall apply thereto. However, a new party to any related case filed in the future may object to said consolidation by filing a motion for relief from the Court's Order within twenty (20) days after the date of receipt of the Court's Order.

By: /s/ Jonathan Gardner

Jonathan Gardner
Francis P. McConville (admitted *pro hac vice*)
LABATON SUCHAROW LLP
140 Broadway
New York, NY 10005
(212) 907-0700

-and-

Frederic S. Fox (admitted *pro hac vice*)
Joel B. Strauss (application for admission submitted)

By: /s/ Carolyn G. Nussbaum

Carolyn G. Nussbaum
Richard A. McGuirk
NIXON PEABODY LLP
1300 Clinton Square
Rochester, NY 14604
(585) 263-1000

-and-

Neal R. Marder (admitted *pro hac vice*)
Ali R. Rabbani (admitted *pro hac vice*)
AKIN GUMP STRAUSS HAUER & FELD LLP

Donald R. Hall (admitted *pro hac vice*)
KAPLAN FOX & KILSHEIMER LLP
850 Third Avenue, 14th Floor
New York, NY 10022
(212) 687-1980

*Counsel for Proposed Lead Plaintiff Les
Investissements Kiz Inc. and UAT Trading
Service, Inc.*

1999 Avenue of the Stars, Suite 600
Los Angeles, CA 90067
(310) 229-1000

Counsel for Defendants

By: /s/ Frederic S. Fox
Frederic S. Fox (admitted *pro hac vice*)
Donald R. Hall (admitted *pro hac vice*)
KAPLAN FOX & KILSHEIMER LLP
850 Third Avenue, 14th Floor
New York, NY 10022
Telephone: (212) 687-1980
Facsimile: (212) 687-7714
Email: ffox@kaplanfox.com
dhall@kaplanfox.com

*Counsel for Plaintiffs Jimmie A. McAdams
and Judy P. McAdams*

By: /s/ Phillip Kim
Phillip Kim
THE ROSEN LAW FIRM
275 Madison Avenue, 40th Floor
New York, NY 10016
(212) 686-1060

*Counsel for Proposed Lead Plaintiff John
McMullan*

By: /s/ Jules L. Smith
Jules L. Smith
BLITMAN & KING LLP
Powers Building, Suite 500
16 West Main Street
Rochester, NY 14614
Telephone: (585) 341-3130
Facsimile: (585) 232-7738

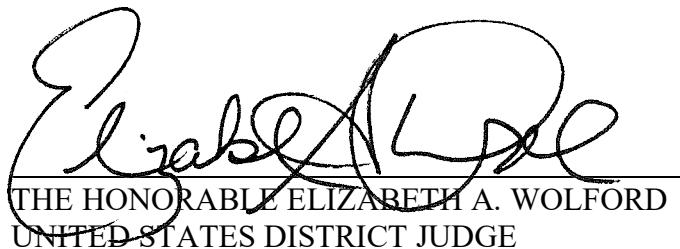
Nathaniel A. Tarnor (*pro hac vice* pending)
HAGENS BERMAN SOBOL SHAPIRO

LLP
322 8th Avenue, Suite 802
New York, NY10001
Telephone: (212) 752-5455
Facsimile: (917) 210-3980

Counsel for Proposed Lead Plaintiff
Satterwhite Group

IT IS SO ORDERED.

DATED: June 22, 2021



THE HONORABLE ELIZABETH A. WOLFORD
UNITED STATES DISTRICT JUDGE